

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Patrick W. Mullen, Gus Bernard, Robert B. Nilsen, and Steven M. Scott

Continuation-in-Part Application of

Application No.: 10/414,405

Filed: April 14, 2003

For: Durable, Open-Faced Retroreflective Prismatic Construction

Date: January 29, 2004

EXPRESS MAIL LABEL NO. EV214947143US

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
  - ☐ Copies of the cited references are enclosed.
    - ☒ Since this application is being filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
  - ☒ Cited foreign patent documents and cited articles were entered in prior applications, U.S. Application Nos. 09/488,129 and 10/414,405, to which priority under 35 U.S.C. 120 is claimed. The earlier application contains copies of the cited foreign documents and cited articles.
  - ☒ References AE2, AA6, AK5, AO, and AP were cited in the enclosed International Search Report in a counterpart foreign application.
  - ☐ The "concise explanation" requirement (non-English references) for reference(s) under 37 CFR 1.98(a)(3) is satisfied by:
    - ☐ the explanation provided on the attached sheet.
    - ☐ the explanation provided in the Specification.
    - ☐ submission of the enclosed International Search Report.
    - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
    - ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

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Examiner

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Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

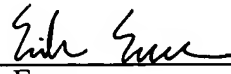
Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

  
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Facsimile: (978) 341-0136

Dated: January 29, 2004  
Concord, Massachusetts 01742-9133

PTO-1449 REPRODUCED  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>January 29, 2004</b>  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 1571.1144-011		Continuation-in-Part of Application No. 10/414,405	
	FIRST NAMED INVENTOR Patrick W. Mullen		FILING DATE	
	EXAMINER	CONFIRMATION NO.	GROUP	

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	US 2003/0021030 A1	12-30-2003	Smith
	AB	6,481,857 B2	11-19-2002	Smith
	AC	6,287,670	09-11-2001	Benson, <i>et al.</i>
	AD	6,280,822	08-28-2001	Smith, <i>et al.</i>
	AE	6,155,689	12-05-2000	Smith
	AF	6,142,643	11-07-2000	Araki <i>et al.</i>
	AG	6,050,691	04-18-2000	Fellows <i>et al.</i>
	AH	5,976,446	11-02-1999	Lin, <i>et al.</i>
	AI	5,939,168	08-17-1999	Andriash
	AJ	5,925,437	07-20-1999	Nelson
	AK	5,835,271	11-10-1998	Stump <i>et al.</i>
	AA2	5,831,766	11-03-1998	Martin
	AB2	5,805,339	09-08-1998	Martin <i>et al.</i>
	AC2	5,780,140	07-14-1998	Nilsen
	AD2	5,679,435	10-21-1997	Andriash
	AE2	5,657,162	08-12-1997	Nilsen <i>et al.</i>
	AF2	5,642,222	06-24-1997	Phillips
	AG2	5,637,173	06-10-1997	Martin <i>et al.</i>
	AH2	5,614,286	03-25-1997	Bacon <i>et al.</i>
	AI2	5,592,330	01-07-1997	Bernard
	AJ2	5,589,991	12-31-1996	Bleier
	AK2	5,558,740	09-24-1996	Bernard <i>et al.</i>
	AA3	5,550,346	08-27-1996	Andriash <i>et al.</i>
	AB3	5,525,177	06-11-1996	Ross
	AC3	5,512,219	04-30-1996	Rowland <i>et al.</i>
	AD3	5,491,586	02-13-1996	Phillips

EXAMINER	DATE CONSIDERED
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	AE3	5,376,431	12-27-1994	Rowland
	AF3	5,361,171	11-01-1994	Bleier
	AG3	5,335,111	08-02-1994	Bleier
	AH3	5,272,562	12-21-1993	Coderre
	AI3	5,264,063	11-23-1992	Martin
	AJ3	5,236,751	08-17-1993	Martin <i>et al.</i>
	AK3	5,229,882	07-20-1993	Rowland
	AA4	5,202,168	04-13-1993	Turner <i>et al.</i>
	AB4	5,182,663	01-26-1993	Jones
	AC4	4,981,904	01-01-1991	Fischer
	AD5	4,801,193	01-31-1989	Martin
	AE5	4,712,868	12-15-1987	Tung <i>et al.</i>
	AF5	4,712,867	12-15-1987	Malek
	AG5	4,703,999	11-03-1987	Benson
	AH5	4,656,072	04-07-1987	Coburn, Jr. <i>et al.</i>
	AI5	4,618,518	10-21-1986	Pricone <i>et al.</i>
	AJ5	4,332,847	06-01-1982	Rowland
	AK5	4,208,090	06-17-1980	Heenan
	AA6	4,127,693	11-28-1978	Lemelson
	AB6	4,103,060	07-25-1978	Bingham <i>et al.</i>
	AC6	4,100,625	07-18-1978	Tung
	AD6	4,025,159	05-24-1977	McGrath
	AE6	4,012,115	03-15-1977	Brown
	AF6	4,004,930	01-25-1977	Tung
	AG6	3,975,083	08-17-1976	Rowland
	AH6	3,966,301	06-29-1976	Brown

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	AI6	3,938,876	02-17-1976	Brown
	AJ6	3,924,928	12-09-1975	Trimble
	AK6	3,887,268	06-03-1975	Golden <i>et al.</i>
	AA7	3,846,012	11-05-1974	Brown
	AB7	3,830,682	08-20-1974	Rowland
	AC7	3,811,983	05-21-1974	Rowland
	AD7	3,782,805	01-01-1974	Brown
	AE7	3,712,706	01-23-1973	Stamm
	AF7	3,689,346	09-20-1970	Rowland
	AG7	3,684,348	08-15-1972	Rowland
	AH7	3,140,340	07-07-1964	Weber
	AI7	2,380,447	07-31-1945	Jungersen
	AJ7	2,310,790	02-09-1943	Jungersen

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**January 29, 2004**

(Use several sheets if necessary)

FIRST NAMED INVENTOR  
Patrick W. Mullen

Continuation-in-Part of  
Application No. 10/414,405

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## FOREIGN PATENT DOCUMENTS

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	EXAMINER	CONFIRMATION NO.	GROUP	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	AR	PLX, Inc., "Hard-Mounted Hollow Retroreflector," accessed December 16, 1999 (available from <a href="http://www.plxinc.com/hmhrfnt.html">www.plxinc.com/hmhrfnt.html</a> ).
	AS	PLX, Inc., "Hollow Retroreflector Arrays for Modern FTIR Long-Path Spectroscopy," accessed December 16, 1999 (available from <a href="http://www.plxinc.com/hrafrnt.html">www.plxinc.com/hrafrnt.html</a> ).
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